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REPORT OF THE SECRETARY-GENERAL PREPARED PURSUANT TO RESOLUTION 1160 (1998) OF THE SECURITY COUNCIL

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1160 (1998) of 31 March 1998. It covers the period since my last report, of 5 August 1998 (S/1998/712).

II. SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 1160 (1998)

2. As at 31 August 1998, in addition to those States listed in my earlier reports (S/1998/608 and S/1998/712), Albania, Chile, Croatia and the Republic of Korea reported to the Committee established pursuant to paragraph 12 of resolution 1160 (1998) on the steps they had taken to give effect to the prohibitions imposed by that resolution.

3. In a letter dated 18 August, the Permanent Representative of Austria to the United Nations, in his capacity as the representative of the Presidency of the European Union, transmitted to the Chairman of the Committee the first monthly report of the European Community Monitoring Mission containing observations on violations of Security Council resolution 1160 (1998). The report covered the Mission's activities in July and early August and was submitted in accordance with the European Union's earlier pledge to contribute to international efforts to monitor the embargo and to report to the Committee any relevant information. The Mission has instructed its regional centres in Tirana, Belgrade and Skopje, as well as its coordination centres in Pristina and Podgorica, to be particularly alert to the possibility of weapons transfers from their respective areas of responsibility into the Federal Republic of Yugoslavia.

4. At its 3rd meeting, held on 19 August 1998, the Committee decided, inter alia, to renew its appeal of 7 May 1998 to all States, international organizations and regional organizations to provide information on violations or suspected violations of the prohibitions imposed by Security Council resolution 1160 (1998). That appeal was issued on 26 August 1998 by the Chairman of the Committee, Mr. Celso L. N. Amorim (Brazil), on behalf of the Committee (SC/6564).

5. In my previous report (S/1998/712), I submitted, in accordance with paragraph 15 of Security Council resolution 1160 (1998), my observations and recommendations for the establishment of a comprehensive regime to monitor the implementation of the prohibitions imposed in paragraph 8 of the resolution. If the Council concurs with the suggested arrangements, I will proceed accordingly.

III. SITUATION IN KOSOVO

6. Continued international efforts to facilitate a political solution to the Kosovo crisis have had limited results. As the Security Council is aware, the situation in Kosovo remains volatile. In mid-July and early August, heavy fighting occurred in the towns of Orahovac and Malisevo, as well as in the Suva Reka and Stimlje areas. By mid-August, fierce fighting was raging in the western parts of Djakovica, Decani and Pec. Towards the end of August, fighting continued in several areas: west of Pec in Rugovska Klisura area, along the Stimlje-Suva Reka road, on the Komorane-Kijevo stretch of the Pristina-Pec Road and near the Pristina airport. Although the scale of fighting between the security forces of the Federal Republic of Yugoslavia and the Kosovo Liberation Army (KLA) has decreased, and the Government has announced that life is returning to normal, it is evident that the conflict continues and any prediction of its end would be premature. The negotiating process has not been renewed and tensions along the border between the Federal Republic of Yugoslavia and Albania have been evident.

Humanitarian concerns

7. An estimated 600 to 700 civilians have been killed in the fighting in Kosovo since March. The conflict has resulted in the estimated cumulative displacement of over 230,000 persons. This is a nearly tenfold increase compared to the figure of 25,000 persons estimated by the Office of the United Nations High Commissioner for Refugees (UNHCR) to have been displaced during the first four months of 1998. The vast majority of those currently displaced by the conflict are within Kosovo (170,000). Others have moved to locations in Montenegro (33,500) and Serbia (20,000). Some 14,000 refugees are currently in Albania. Deserted towns and villages, as well as destroyed houses, slaughtered livestock and burned fields, bear witness to the scale of displacement and destruction in Kosovo. However, it has not always been possible fully to gauge the level of population movement inside Kosovo, owing to the increasingly insecure environment, impediments to access and the fluidity of the population movements. Thousands of civilians are constantly in flight to escape attacks by government forces.

8. According to UNHCR estimates, there could be up to 50,000 displaced people in Kosovo who have been forced from their homes into the woods and mountains. These people are the most vulnerable and are in need of urgent help. Despite assurances from the authorities, access is hindered, and the immediate priority of the humanitarian agencies is to find these groups and to deliver essential relief. It is clear that if these people remain in their current locations over the winter, they will be at serious risk of death. It remains a priority to assist them to return to their homes, or to move them to host families, or, as a

last resort, into collective centres where assistance can be more reliably provided.

9. The authorities of the Federal Republic of Yugoslavia have committed themselves to the creation of conditions for the return of refugees and displaced persons to their homes in Kosovo. The reality on the ground, however, is that inadequate security conditions and the continued destruction of homes are making return to many areas virtually impossible. There are disturbing reports that some returnees, mostly young men, were taken by police for "informative talks". In some cases, the police have prevented returnees from harvesting crops. The Assistant High Commissioner for Refugees, Mr. Soren Jessen-Petersen, who visited the area from 18 to 22 August, reported one instance when the police, occupying the house of the potential returnee, vandalized it and did not allow the owner to move back in. Such practices, as well as any potential attempts to change the ethnic balance in Kosovo, are unacceptable. I am also concerned by unconfirmed reports that some Kosovo Albanian groups, in pursuit of their political interests, may be blocking the return process in order to prolong the humanitarian crisis and maintain international attention on Kosovo.

10. In order to expedite the return process and to facilitate political progress on the Kosovo issue, there is a critical need to promote confidence-building measures between the parties in conflict. As most refugees and internally displaced persons have no trust in the willingness or ability of the Serbian or federal authorities to protect them, all necessary measures should be taken to bridge the confidence gap. In this connection, UNHCR strongly argues the urgent need to strengthen the international presence in Kosovo. The government authorities in the Federal Republic of Yugoslavia, who bear primary responsibility for the well-being and security of all its citizens, should unambiguously commit themselves to guaranteeing the safety of those returnees not proved to have participated in terrorist activities. The authorities must undertake to prosecute any member of the security forces involved in the mistreatment of innocent civilians. Another important factor is that many internally displaced persons have no place to go, since a significant number of houses have been destroyed or burned. The authorities must bring to justice all those involved in the deliberate destruction of property. They must also make every effort to provide assistance for the reconstruction of damaged and destroyed homes.

11. A prolongation of the Government's present policies is likely to result in further displacement of the wider population. This is particularly worrying because of the approaching winter, which could transform what is currently a humanitarian crisis into a humanitarian catastrophe. It is likely that most of the displacement will continue to be concentrated within Kosovo itself, although an increasing number of those displaced appear to be electing to move to other areas within the Federal Republic of Yugoslavia (Montenegro in particular) and abroad.

12. At the beginning of 1998, there were 1,800 refugees from Croatia and Bosnia and Herzegovina housed in 28 collective centres in Kosovo. UNHCR has requested the federal authorities to transfer the refugees to safe locations outside the conflict areas, but this has not yet been done. Regular visits to the

collective centres reveal that the numbers of refugees therein have dropped, as most refugees with the health and means to do so have made their own way out; their present location and condition are unknown. The options of voluntary repatriation and resettlement are being pursued. So far some 600 are being assisted to return to Croatia at their request. Interest in repatriation, especially among the elderly, is increasing and it is expected that the number of requests for return will grow in the near future. More than 1,000 refugees have now requested resettlement abroad.

13. In response to the crisis, the humanitarian agencies continue to identify the location and needs of the displaced, to provide protection when possible, and to deliver assistance from available resources. At the time of writing, the municipalities in Kosovo affected by the conflict include Decane, Djakovica, Glogovac, Istok, Klina, Lipljan, Orahovac, Pec, Srbica, Stimlje and Suva Reka. Most of the displaced within Kosovo are staying within these areas, though some have moved to other municipalities. Populations in other areas, while not directly involved in the fighting, are increasingly affected by the conflict. Many have little or no access to food supplies, as stocks in shops have, for the most part, not been replenished, and medical facilities face major supply problems. Livestock has been lost or slaughtered, crops lie unharvested in the fields, and fodder is scarce, rendered inaccessible or destroyed. It is feared that many wounded in the conflict areas have no access to medical services.

14. The most worrying problem in Montenegro is the impact of internally displaced persons on the demographic balance and the high burden they place on that Republic of the Federal Republic of Yugoslavia, since they already represent more than 10 per cent of its population. In Montenegro, UNHCR is increasing its budget to cope with the needs of new arrivals from Kosovo. The focus in the short term is on assisting the most vulnerable host families and to winterize public buildings used to shelter the internally displaced. A similar approach is required in northern Albania, although in the medium term those refugees willing to go there should be relocated to the south in order to decongest Bajram Curri and to move the refugees away from the area, which has become a KLA base. The security situation has become a major concern for the humanitarian agencies in northern Albania.

Human rights

15. The human rights situation in Kosovo has been marked by widespread violations. Acting under the mandates of the United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, the Office of the United Nations High Commissioner for Human Rights is engaged in monitoring and reporting on the human rights situation in the whole of the Federal Republic of Yugoslavia. The Office of the High Commissioner opened its office in Belgrade in March 1996 and has in addition maintained a continuous monitoring presence in Pristina since March 1998.

16. The Office of the High Commissioner has received increasing reports of persons being arbitrarily arrested for questioning and kept in pre-trial detention for periods well beyond the legal time limit. It has registered more than 200 persons who are reported to be in police detention, and another 200 or

more are reported by various sources as "missing". Some persons are believed to be in unacknowledged detention. While most of these people have been arrested in connection with police operations in the field, there is a growing number of cases in which Kosovo Albanian political activists, lawyers, humanitarian workers and medical personnel are being arrested and interrogated by the police. The Office of the High Commissioner has been informed that detainees have recently been transferred to Belgrade from prisons in Kosovo. Lawyers and family members say that they encounter serious problems in obtaining permission to see those detained. Lawyers have reportedly been prevented from speaking with their clients in private for longer than five minutes and have not been allowed by the police to speak with their clients in the Albanian language. There are many reports of torture and ill-treatment during pre-trial detention, including at least four alleged cases of death in custody. The Office of the High Commissioner has on several occasions written to the Serbian Ministry of the Interior inquiring about cases brought to its attention. In Kosovo, the Office is monitoring trials of persons charged with crimes against the state, including "terrorism". Some defendants have reportedly been tortured while under interrogation. In these politically sensitive trials there are serious concerns regarding the independence of the courts and defendants' access to legal counsel.

17. Also a serious cause for concern are reports that a number of Serb, Kosovo Albanian and Roma civilians, as well as Serbian police officers, have been abducted since early April by armed Kosovo Albanians, believed to be KLA members. The Office of the High Commissioner has interviewed relatives and family members of abductees as well as eyewitnesses to abductions. The Yugoslav authorities have indicated that more than 179 civilians and police were abducted since the beginning of the conflict. On 26 and 27 August, in Klecka, 22 persons believed to be abductees reportedly were killed and their bodies burned in a makeshift crematorium. The precise number of victims and the circumstances of their death are being investigated. International monitors have also visited the site.

IV. HUMANITARIAN ACTIVITIES

18. The provision of humanitarian assistance is of great urgency, particularly with the onset of the harsh winter months in the Balkans. In cooperation with the International Committee of the Red Cross, international non-governmental organizations and local organizations, United Nations agencies are attempting to deal with the crisis in the face of difficult conditions and limited funding. Within Kosovo, UNHCR has been escorting multi-agency convoys to deliver humanitarian assistance to internally displaced persons; the first priority in this regard has been to help those living in the open, who are, unfortunately, the most difficult to reach.

19. Given the growing crisis in Kosovo and the commensurate increase in humanitarian needs, the international humanitarian assistance programme has become an indispensable factor in ensuring the provision of efficacious and cost-effective relief assistance at the local, national and regional level. UNHCR continues to act as the focal point for inter-agency coordination on issues pertaining to the crisis in Kosovo. Capacity for inter-agency and

interregional information flow and coordination continues to be undertaken by UNHCR with support from the Office for the Coordination of Humanitarian Affairs. A purpose of the recent visit to Kosovo by the Assistant High Commissioner for Refugees was to assess the humanitarian situation on the ground, including issues of access, security and other operational concerns and constraints.

20. Pursuant to its mandated role as lead agency in the region, UNHCR maintains close liaison with representatives of the Government of the Federal Republic of Yugoslavia as well as with members of the Kosovo Albanian community and the respective Red Cross Societies to share relevant information on population movements and assistance needs. In this connection, it is worth noting that UNHCR has worked out a division of labour for humanitarian assistance in Kosovo. It also liaises with the diplomatic community and human rights organizations in Belgrade, Pristina and Montenegro as well as with the Kosovo Diplomatic Observer Mission, the European Community Monitoring Mission and relevant diplomatic missions. Regular briefings are provided on current developments and the monitoring of the safety of displaced persons and refugees.

21. The military operations and civil strife of the past months, resulting in the mass displacement of civilian populations, coupled with the disruption of trade and the failure to harvest crops, have also worsened the food security situation of internally displaced persons and other affected populations. The World Food Programme's intervention in the food sector has been designed to prevent hunger and malnutrition among refugees and displaced persons, as well as among affected populations in conflict areas. UNHCR has a small provision in its budget to cover special dietary food requirements and supplementary food, to assist the most needy during the winter months of 1998 especially. A number of non-governmental organizations and the International Committee of the Red Cross/ International Federation of Red Cross Societies have funding to provide food assistance to the affected population in Kosovo as well as to internally displaced persons in Kosovo and Montenegro.

22. In the non-food sector, UNHCR provides such items as blankets, mattresses, hygienic items, heating/cooking stoves and firewood, with special emphasis on the needs of women and children. Winter clothing will be essential in the coming months. UNHCR will make clothing and footwear available from its stocks in the region; non-governmental organizations are expected to supply substantial quantities of clothing and footwear. The United Nations Children's Fund (UNICEF) will complement the activities of UNHCR and its partners through the provision of children's garments, basic household supplies and essential hygiene items required by displaced children and women. These supplies will improve the general health status of the internally displaced persons and help to prevent the outbreak of water-borne and food-borne diseases, lice infestation and other conditions related to living in deprived circumstances.

23. The conflict and population displacement in Kosovo has led to a shortage of essential drugs and to the collapse of basic health services. Children in temporary and inadequate shelter are at risk from common diseases and there is a serious threat of a measles epidemic in the coming months. The World Health Organization (WHO) maintains a coordination role in the public health sector and provides technical guidance to agencies involved in this sector. Activities include the procurement of emergency water supply and chlorination systems, the

establishment or improvement of sanitary facilities, the improvement of the emergency health surveillance system and its management, and the strengthening of the management of drugs donations and distribution. Preventive health-care activities, in particular immunization programmes and prenatal care, will be undertaken to compensate for local services which have been severely curtailed because of shortages of trained staff and essential medical supplies. In addition to the activities of WHO, UNICEF will continue to provide special paediatric essential drug kits, together with guidelines for health workers on their use. UNICEF also promotes community health and hygiene education, sound infant-feeding practices and, in collaboration with WHO, assists in the monitoring of the general health and nutritional status of the affected population. Building on the work which began in April this year, UNICEF will seek to re-establish the network of trained care providers in Kosovo, in order to provide trauma screening and psycho-social support for children and families seriously affected by the violence and conflict. WHO continues its activities of psycho-social emergency assistance to the internally displaced persons in Montenegro.

24. Accommodation is one of the major concerns in relation to the well-being of internally displaced persons and affected populations. UNHCR will provide material for emergency repairs; more substantial repairs can be carried out only once relative peace has been restored, and it is hoped that reconstruction may be possible immediately after the 1998/1999 winter. In Montenegro, where a different type of shelter assistance is required, some basic repair and maintenance of the collective centres is foreseen. Assistance will also be provided to host families in an effort to support them and encourage them to continue to extend their hospitality, as resources have already started to dwindle. However, if fighting continues in Kosovo and it is impossible for those now living outside to reach their homes, they may seek to reach Montenegro. This would necessitate the urgent provision of greater resources for collective accommodation.

25. The current conflict has taken a serious toll on education services in Kosovo. UNICEF plans to assist up to 100,000 internally displaced children in Kosovo and other parts of Serbia and up to 20,000 internally displaced children in Montenegro, so that they can start school promptly in September. In Montenegro, UNICEF will concentrate its assistance on providing necessary school materials and basic textbooks for the start of the new school year, and on providing teacher training. In areas of Kosovo with a high influx of internally displaced persons, existing schools will not have the capacity to provide classroom space for all children and alternative arrangements will have to be made. Finally, as a precautionary measure, UNICEF will prepare and print a teachers' manual and posters for use in mine awareness education in primary schools in certain parts of Kosovo. UNHCR will support UNICEF activities and will, in consultation with the Government of Montenegro, provide assistance to carry out sanitation and rehabilitation work at school buildings in Montenegro to increase their capacity. Activities in this sector in Kosovo will depend on the local situation but are expected to be limited at this stage. Working with the legal community and non-governmental organizations, the Office of the United Nations High Commissioner for Human Rights is attempting to produce educational materials that link international human rights standards with domestic law and procedures, particularly in the area of police and judicial procedures. In

August, the Office began its first small grants programme for communities and organizations involved in human rights education.

26. Humanitarian agencies can continue to operate only in areas where security conditions permit and access is granted by the relevant authorities. Although access has generally improved, insecurity resulting from fighting often prevents or delays the delivery of aid. In recent weeks, the incidence of cases of restriction of movement and denial of access for humanitarian agencies to certain areas, detention of relief personnel and attacks on relief workers has increased. On 25 August, three relief workers of a local non-governmental organization, the Mother Theresa Society, were killed under fire in a Serbian offensive. In late August, a UNHCR driver of ethnic Serb background was threatened by a KLA member at a KLA checkpoint near Pagarusa while escorting a humanitarian convoy. Humanitarian aid workers must cross numerous checkpoints established by both the police and KLA, often one after another; sometimes relief workers are sandwiched between two checkpoints as neither group will allow them to pass through. Reports of landmines also give cause for concern. While guarantees of access have been given, the security and safety of aid workers remains a real issue and must be addressed by the parties.

27. The most disappointing problem is a lack of resources. Three humanitarian convoys per week do not meet the needs of the affected people. An extension of the United Nations Consolidated Inter-agency Appeal for Humanitarian Assistance Related to the Crisis in Kosovo will be launched by UNHCR and the Office for the Coordination of Humanitarian Affairs in September. It is vital that the international community responds generously to this new appeal so that United Nations agencies may meet the expanding emergency humanitarian needs. The support of donors is critical to enhance the response capacity of agencies participating in this appeal, and to allow them to do their utmost to alleviate the human suffering caused by the conflict in Kosovo.

V. OBSERVATIONS

28. I am alarmed by the lack of progress towards a political settlement in Kosovo and by the further loss of life, displacement of civilian population and destruction of property resulting from the ongoing conflict. It is essential that negotiations get under way so as to break the cycle of disproportionate use of force by the Serbian forces and acts of violence by the Kosovo Albanian paramilitary units by promoting a political resolution of the conflict. On 1 September, I wrote to President Milosevic to underline my alarm at the excessive use of force by Serbian military and police forces, noting that Kosovo Albanian extremists also bear responsibility for their acts of provocation. Persistent tensions on the border between the Federal Republic of Yugoslavia and Albania, including reports of border violations and cross-border shelling, are a further cause of serious concern. As I have indicated, this escalation of tensions risks detrimental consequences for the stability in the region. In this regard, I wish to reiterate the concern, expressed in my previous report, that United Nations operations in the region could be negatively affected by developments in Kosovo.

29. I continue to believe strongly that there can be no military solution for the crisis. I urge both parties to demonstrate restraint and to start the negotiating process as soon as possible. Efforts by the Contact Group, regional organizations and individual States to put an end to the violence and to create appropriate conditions for a political settlement of the conflict have my full support. For my part, I remain prepared to contribute to these efforts through all resources available to me.

30. As I have outlined above, recent clashes in Kosovo have led to further displacement of civilian population which have borne the brunt of the fighting since March 1998. I urge parties in the Federal Republic of Yugoslavia to assure unhindered humanitarian access to all affected areas and to ensure the security of the relief personnel. I call also on international humanitarian organizations to intensify their efforts to provide relief to Kosovo's population. To achieve this, the international community must support these efforts by providing urgently the necessary resources for assistance in Kosovo, in order to prevent a major humanitarian disaster in the region.